

SENATE No. 2384

[Senate, April 15, 2010 – Recommended new draft (Bonding Capital Expenditures and State Assets) for House, No. 4289]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND TEN

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN LAND IN THE TOWN OF AGAWAM

1 SECTION 1. Notwithstanding the provisions of sections 40E through 40J, inclusive, of chapter 7
2 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may convey in fee simple a certain parcel of land and any improvements
4 and structures located thereon formerly known as the Western Massachusetts Criminal Justice Training
5 Center located at 702 South Westfield Street in the town of Agawam, consisting of approximately 6.9
6 acres of land, to United Veterans of America, Inc. d/b/a Soldier On, or its affiliate(s), for the purpose of
7 constructing limited equity cooperative housing for homeless veterans and providing services related
8 thereto; provided, however, that prior to said conveyance, if deemed necessary by the Massachusetts
9 historical commission, United Veterans of America, Inc. d/b/a Soldier On, or its affiliate(s) shall enter
10 into a historical covenant agreement with the Massachusetts historical commission which shall be filed

11 with the registry of deeds and run with the land in perpetuity. Use and maintenance of the parcel shall be
12 subject to the restrictions and provisions of the historical covenant. The exact boundaries of the parcel
13 shall be determined by the commissioner of the division of capital asset management and maintenance
14 after the completion of a land survey. The consideration for the conveyance shall be \$1. This parcel shall
15 be conveyed by deed without warranties or representations by the commonwealth.

16 SECTION 2. Notwithstanding any general or special law to the contrary, United Veterans of
17 America, Inc. d/b/a Solider On, or its affiliate(s), shall be responsible for all costs and expenses,
18 including, but not limited to, costs associated with any engineering, appraisals, surveys, and deed
19 preparation related to the conveyance authorized pursuant to this act as such costs may be determined by
20 the commissioner of the division of capital asset management and maintenance.

21 SECTION 3. The deed or other instrument conveying the property described in section 1 to
22 United Veterans of America, Inc. d/b/a Soldier On, or its affiliate(s), shall, without limitation, provide that
23 if for any reason the property ceases to be used solely for the purposes described in section 1, then,
24 following the giving of written notice and an opportunity to cure in accordance with a procedure to be
25 specified in the deed conveying the property, and upon the recording of a notice by the commissioner
26 with the Hampden registry of deeds, title to the property shall revert to the commonwealth under the care
27 and control of the division of capital asset management and maintenance and any further disposition shall
28 be subject to sections 40E to 40J, inclusive, of chapter 7 of the General Laws and to the prior approval of
29 the general court.